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Paper No. 6

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In re Application of  
Rasmussen  
Application No. 09/467,669  
Filed: December 18, 1999  
Attorney Docket No. 35115.0400

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**ON PETITION**

This a decision on the petition under 37 CFR 1.10 to accord the above-identified application a filing date of December 18, 1999, instead of December 19, 1999.

The petition is **granted**.

37 CFR 1.10 allows one to get a filing date as of the day that correspondence is deposited with the United States Postal Service using "Express Mail Post Office to Addressee" service. Petitioner has established that the USPS incorrectly entered the date-in and incorrectly stamped the mail label. After committing the errors, the postal employee crossed out the incorrect stamped date, and placed a correct, but somewhat illegible, stamp for the date of December 18, 1999, onto the label. The incorrect date-in entry of December 19, 1999, was not marked out.

The file is now being forwarded to the Office of Initial Patent Examination to accord the application a filing date of December 18, 1999, and for further processing.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (703) 306-5683.

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